

of this application, Marcor Management, Inc. On a date more than one year prior to the filing of the present application, this drawing was submitted to the New York City Department of Environmental Protection by the assignee in response to a Request for Proposal (RFP) for a lead remediation project.

Item 2 is a set of three drawings showing a modified air separation apparatus designed by the assignee. This apparatus was used commercially at a lead remediation site in Pennsylvania more than one year prior to the filing of the present application. The component labeled “secondary separation vibrator” (or “secondary separation tray”) is a vibrating tray that was used to assist in conveying waste material to a waste hopper at the downstream end of the unit, after the waste material had been separated from lead bullets by the horizontal air flow.

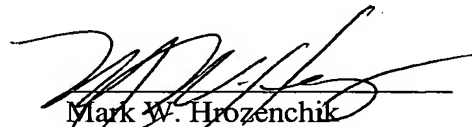
Item 3 is a drawing of a deflector shield that was added (as a running design change) to the secondary separation vibrator in the air separation apparatus shown in Item 2 above. The purpose of the deflector shield was to deflect or concentrate the air flow in an area of the tray where waste material had previously built up, thereby alleviating the build-up condition and allowing waste material to flow more efficiently toward the waste hopper. The deflector shield also defined a separation point between the flow of lead bullets and the flow of waste material falling from the vibrating feed tray at the top of the apparatus, and served as a deflector surface for large rocks that might otherwise fall into the bullet hopper. The deflector shield shown in Item 3 was fixed in position relative to the secondary separation tray, although the secondary separation tray as a whole could be moved forward or backward using the mounting holes shown in the drawing. The deflector shield arrangement shown in Item 3 was used by the assignee in a commercial lead remediation project in Pennsylvania more than one year prior to the filing of the present application.

Since the present Information Disclosure Statement is being filed prior to issuance of a first Office Action on the merits, no certification under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(b) is required.

The Examiner is requested to consider the attached document in connection with the above-identified application and to return a copy of Form PTO-1449 to the Applicant with the Examiner's initials in the spaces provided.

Submission of this Information Disclosure Statement does not constitute an admission by the Applicant as to the materiality of the attached documents to the application, nor does the Applicant waive any right to challenge the validity of the documents as prior art should such action be deemed appropriate.

Respectfully submitted,



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